

15. Jan. 2004

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY10/512122
PCT

Keller & Partner AG

To:

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Rec'd PCT/PTO

12 OCT 2004

WRITTEN OPINION
(PCT Rule 66)

Date of mailing

(day/month/year) 13.01.2004

Applicant's or agent's file reference
RS/pe-16075

REPLY DUE

within 3 month(s)
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International application No.
PCT/CH 03/00246

International filing date (day/month/year)
11.04.2003

Priority date (day/month/year)
12.04.2002

International Patent Classification (IPC) or both national classification and IPC
H01F27/28

Applicant
ASCOM ENERGY SYSTEMS AG et al.

1. This written opinion is the **first** drawn up by this International Preliminary Examining Authority.

2. This opinion contains indications relating to the following items:

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13.04.04 mly

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

3. The applicant is hereby **invited to reply** to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also: For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis.
For an informal communication with the examiner, see Rule 66.6.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 12.08.2004

Name and mailing address of the international preliminary examining authority:



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I. Basis of the opinion

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed"*):

Description, Pages

1-10 as originally filed

Claims, Numbers

1-33 as originally filed

Drawings, Sheets

1/7-7/7 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

6. Additional observations, if necessary:

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	1, 9, 11, 12, 16, 21
Inventive step (IS)	Claims	2-8, 10, 13-15, 17-20, 22-33
Industrial applicability (IA)	Claims	

2. Citations and explanations**see separate sheet**

Re Item V

- 1 Reference is made to the following documents:

D1: WO 00 11687 A (ALLISON HERMAN ;FRICKER RONALD KEVIN (ZA);
SMIT MARTHINUS CHRISTOF) 2 March 2000 (2000-03-02)

D2: US-2001/020886-A1 (NAGAI JUN ET AL) 13 September 2001 (2001-09-13)

D3: US-A-6 069 548 (BAARMAN GOESTA ET AL) 30 May 2000 (2000-05-30)

- 2 Independent claims 1 and 16 as well as their dependent claims 9, 11, 12 and 21 do not meet the requirements of the PCT in respect of novelty, the reasons being as follows:

Document D1, which is considered to represent the most relevant state of the art, discloses (cf. fig. 1-13; page 3, lines 14-18 and claims 1 and 11) all the features or method steps of claims 1, 9, 11, 12, 16 and 21.

The subject-matter of claims 1, 9, 11, 12, 16 and 21 is therefore not novel (Article 33(2) PCT).

- 3 Independent claims 15, 23 and 33 do not meet the requirements of the PCT in respect of inventive step, the reasons being as follows:

As far as claims 15 and 33 are concerned, document D2, which is considered to represent the most relevant state of the art, discloses (cf. fig. 6 and claim 1) all the features of claims 15 and 33 except for the multilayer circuit element. On the other hand, D1 discloses all the features of claim 23, again except for multilayer circuit element. The problem to be solved by the present invention may therefore be regarded as reducing the size of the transformer. The solution proposed in the present application cannot be considered as involving an inventive step (Article 33(3) PCT) for the following reasons. This feature is described in document D3 (cf. col. 1, lines 39-45) as providing the same advantages as in the present application. The skilled person would therefore regard it as a normal design option to include this feature in the transformer described in document D2 (for claims 15 and 33) or D1 (for claim 23) in order to solve the problem posed.

- 4 Claims 2-8, 10, 13, 14, 17-20, 22 and 24-32 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, the reasons being as follows:
- D3 discloses a planar transformer and further discloses all additional features set

**WRITTEN OPINION
SEPARATE SHEET**

International application No. PCT/CH03/00246

out in claims 2, 3 and 4, so that the subject-matter of claims 2, 3 and 4 does not involve an inventive step and does not satisfy the criterion set forth in Article 33(3) PCT in light of the combination of documents D1 and D3.

- In claims 5-8, 10, 13, 14, 17-20, 22 and 24-32, a slight constructional change is defined which comes within the scope of the customary practice followed by persons skilled in the art.

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